

Introduced by Senator Murray

February 23, 2006

Senate Joint Resolution No. 24—Relative to the Internet.

LEGISLATIVE COUNSEL'S DIGEST

SJR 24, as introduced, Murray. Telecommunications: Internet network neutrality.

This measure would urge Congress and the President to encourage broadband deployment and preserve and promote the open and interconnected nature of the public Internet based on the 4 principles stated in the measure.

Fiscal committee: no.

1 WHEREAS, Two-thirds of the households in the United States
2 now have some form of Internet service at home, and the
3 majority of those households have migrated from narrowband,
4 dial-up service to broadband, “always-on” service; and

5 WHEREAS, The Internet has taken on a critical role in daily
6 life for personal communications, access to news and
7 information, online banking, e-commerce, and retrieving
8 government information; and

9 WHEREAS, The principle of nondiscrimination in access to
10 communications networks has been part of public policy for the
11 telecommunications industry for a century and as more of our
12 economic and social life goes online, access to communications
13 takes on even greater importance; and

14 WHEREAS, Recent decisions by the Federal Communications
15 Commission have eliminated the requirement for broadband
16 network owners to allow Internet service providers to use their

1 high speed broadband networks in order to offer competitive
2 broadband service; and

3 WHEREAS, Those decisions have also given network owners
4 the power to discriminate against content or services that their
5 subscribers access via the Internet, such as Internet telephone
6 service, video streaming and other applications, and even content
7 that may compete with the owner's own offerings; and

8 WHEREAS, Congress is currently debating the merits of
9 legislation to ensure principles of "network neutrality," to require
10 operation of the network in a manner that does not impede, block
11 or slow the flow of content, services or applications or impair the
12 functioning of devices connected to the network; and

13 WHEREAS, The outcome of this legislative process will
14 largely determine the future of the Internet for consumers; now,
15 therefore, be it

16 *Resolved by the Senate and the Assembly of the State of*
17 *California, jointly*, That the Legislature of the State of California
18 hereby memorializes Congress and the President of the United
19 States to encourage broadband deployment and preserve and
20 promote the open and interconnected nature of public Internet
21 based on the following four principles: (1) consumers are entitled
22 to access the lawful Internet content of their choice; (2)
23 consumers are entitled to run applications and services of their
24 choice, subject to the needs of law enforcement; (3) consumers
25 are entitled to connect their choice of legal devices that do not
26 harm the network, and (4) consumers are entitled to competition
27 among network providers, application and service providers, and
28 content providers; and be it further

29 *Resolved*, That the Secretary of the Senate transmit copies of
30 this resolution to the President and Vice President of the United
31 States, to the Speaker of the House of Representatives, to the
32 Majority Leader of the Senate, and to each Senator and
33 Representative from California in the Congress of the United
34 States.